




BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff-Coroner
Department No.: 032
For Agenda Of: June 18, 2024
Placement: Administrative
Estimated Time:
Continued Item:
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Bill Brown, Sheriff-Coroner, (805) 681-4290 
Director
Contact Info: Vincent Wasilewski, Custody Chief Deputy, (805) 681-4246
SUBJECT: Accept the 2022 and 2023 State Criminal Alien Assistance Program Funds (SCAAP)

County Counsel Concurrence

As to form: Yes

Other Concurrence: CEO Budget

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- A) Approve, ratify, and authorize the Sheriff, or his designee, to accept a reimbursement award in an amount of \$526,790 for the period of July 1, 2020, through June 30, 2021 (Attachment A), and \$604,089 for the period of July 1, 2021 through June 30, 2022 (Attachment B) from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, a federal entity, administering the State Criminal Alien Assistance Program;
- B) Approve Budget Revision Request #0009682 (Attachment C) to increase appropriations of \$1,130,879 in Sheriff General Fund for Salaries and Benefits in Overtime (\$526,790) and Changes to Restricted fund balance in Sheriff Categorical Grants (\$604,089) funded by unanticipated revenue from Intergovernmental Revenue-Federal; and
- C) Find that the proposed action is an administrative and fiscal activity of the County, which will not result in direct or indirect physical changes in the environment; and is therefore, not a "project" as defined for purposes of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15378(b)(4) or (b)(5).

Summary Text:

This item is on the agenda to request authorization for the Sheriff’s Office to accept a reimbursement in an amount of \$526,790 from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the reimbursement period of July 1, 2020, to June 30, 2021, and \$604,089 for the period of July 1, 2021, to June 30, 2022. The funds received from 2022 award will be used to offset Custody overtime for this fiscal year. The funds received from the 2023 award will be placed in fund balance to be used to offset the cost of purchasing two new inmate transportation buses ordered this year but arriving in FY 2024-25.

Background:

The Bureau of Justice Assistance (BJA) administers the State Criminal Alien Assistance Program (SCAAP) in conjunction with the U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law and incarcerated for at least 4 consecutive days during the reporting period.

SCAAP is governed by Section 241(i) of the Immigration and Nationality Act, 8 U.S.C. 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

SCAAP payments are calculated using a formula that provides a relative share of funding to jurisdictions that apply and is based on the number of eligible criminal aliens, as determined by the DHS. The FY 2022 reimbursement application was submitted in March 2023 and awarded in August 2023. The FY 2023 reimbursement application was submitted in May 2023 and awarded in November 2023. Since the SCAAP award fluctuates depending on the above factors, the award amount and timing was unknown prior to award receipt.

Performance Measure:

SCAAP is a reimbursement program with no reporting requirements beyond the documentation presented with the initial application.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis: [*"Double Click to see Funding Source Instructions"*](#)

<u>Funding Sources</u>	<u>Current FY Reimbursement:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal	\$ 1,130,879		
Fees			
Other:			
Total	\$ 1,130,879	\$ -	\$ -

Accept the 2022 and 2023 State Criminal Alien Assistance Program Funds (SCAAP)

Narrative: The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) included the following requirement regarding the use of SCAAP funds: “Amounts appropriated pursuant to the authorization of appropriations in paragraph (5) that are distributed to a State or political subdivision of a State, including a municipality, may be used only for correctional purposes.” These allowable uses include salaries and benefits, overtime, and training of correctional staff, as well as transportation of individuals in custody.

The \$526,790 received from 2022 award will be used to offset Custody overtime in the current fiscal year. The \$604,089 received from the 2023 award will be placed in fund balance to be used to offset the cost of purchasing two new inmate transportation buses ordered through General Services this fiscal year but arriving in FY 2024-25. The two current transportation busses have fully depreciated both in months in service and in mileage accrued and are due for replacement. Neither bus has had a high percentage of usage in the current fiscal year due to needed repairs. These buses were purchased in 2012 and due to subsequent cost increases, sufficient funds were not set aside for replacement. SCAAP funds from the 2023 award will fund the difference between the funding available in the fleet replacement funds (\$1,117,743) and the current price of the buses (estimated at \$1,429,000) of approximately \$311,257. Any residual funding will be reviewed with CEO Budget staff for prioritization concurrence to be used for permissible Custody expenses in FY 24/25.

Special Instructions:

Clerk of the Board please send one official Minute Order to the Sheriff’s Office, Attention: Chief Financial Officer Hope Vasquez

Attachments:

- Attachment A: State Criminal Alien Assistance Program Award Letter 2022
- Attachment B: State Criminal Alien Assistance Program Award Letter 2023
- Attachment C: Budget Revision Request #0009682

Authored by:

Hope Vasquez, Chief Financial Officer, Sheriff’s Office, (805) 681-4299